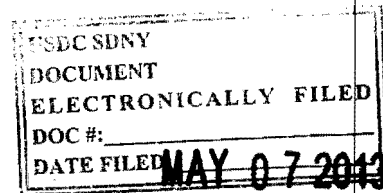


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
HERNANDO HOYOS,

Plaintiff,

-against-

ANDREW S. GORDON, et al.,

Defendants.  
-----X

12 Civ. 5449 (JPO)(SN)

ORDER

J. PAUL OETKEN, District Judge:

Pursuant to 28 U.S.C. § 636(b)(1), a district court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” The district court reviews a magistrate judge’s report “strictly for clear error when no objection has been made.” *Coach, Inc v. O’Brien*, No. 10 Civ. 6071, 2012 WL 1255276, at \* 1 (S.D.N.Y. Apr. 13, 2012) (citation omitted). Applying that standard, and upon review of the history of this case, the Court adopts the Report and Recommendation of Magistrate Judge Netburn concluding that the proposed settlement agreement is fair and reasonable.

This case is hereby dismissed with prejudice, but without costs; provided, however, that within 30 days of the date of this Order, counsel for the plaintiff may apply by letter to restore this action to the Court’s calendar, in which event the action will be restored.

The Report and Recommendation is hereby ADOPTED and the Clerk of Court is directed to close this case.

SO ORDERED.

Dated: New York, New York  
May 3, 2013

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J. PAUL OETKEN  
United States District Judge